IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.1787 of 2008
NAGENDRA KUMAR SHUKLA @ NAGENDRA SHUKLA
Versus
THE STATE OF BIHAR
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3 **02.09.2008** Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case registered for the offences under Sections 302/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the petitioner is not a named accused and he has been implicated in this case merely he being the owner of the truck and in absence of any allegation against him attracting the aforesaid offence, he deserves to be granted anticipatory bail. Learned counsel further submits that one co-accused namely, Mantu Shukla has been allowed regular bail by this Court as per the order contained in Annexure-5.

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Learned Addl. P.P., on the other hand, on going through the case diary submits that in paragraph 90 the witness has stated about the complicity of this petitioner in the alleged crime. He further submits that the Investigating Officer and the concerned Deputy Inspector General of Police after going through the material on the diary have expressed their opinion with regard to the complicity of the

petitioner in the alleged crime.

Considering the above and in the facts and circumstances of the case, I am no inclined to grant the privilege of anticipatory bail to the petitioner. His prayer for grant of anticipatory bail is, accordingly, rejected.

Manish/- **(Shailesh Kumar Sinha,J.)**

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